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## **GOVERNOR AND STATE LEADERS URGED TO CONVENE A SPECIAL SESSION**

The Honolulu City Council today approved a resolution urging Governor David Ige and the Hawai'i State Legislature to call a special session to revise the current penalties, under Hawai'i law, for violating statewide emergency orders issued due to the COVID-19 pandemic.

Resolution 20-328, introduced by Council Chair Emeritus Ron Menor urges the Legislature to act soon because this important issue cannot wait until it convenes in regular session on January 20, 2021. The measure calls for strong and effective enforcement of public health directives, needed now, given the possible surge in COVID-19 cases in Hawaii due to the upcoming holiday gatherings and the increasing reports of violations of the emergency orders

Chair Emeritus Menor believes this is imperative since many violators, who already received citations from the police have avoided sanctions, as seen in statistics from the Hawai'i State Judiciary that revealed a very small percentage of citations, issued to violators of the COVID-19 emergency orders, actually resulted in convictions.

***"I am very concerned the current situation could breed a lack of respect for the law and encourage non-compliance with public health mandates," said Chair Emeritus Menor. "What the Legislature needs to do, and what this resolution calls for, is to amend the penalties by allowing for less severe criminal sanctions and civil, rather than criminal monetary fines to be imposed, resulting in more effective, efficient and expeditious enforcement of the emergency orders."***

According to Resolution 20-328, violations of the public health directives would then be handled like civil traffic/parking infractions so individuals would be cited then immediately admit or deny the citation. If they admit, then they can pay a fine and avoid having to appear in court or face criminal liability. If they deny the violations, then they would be allowed to go before a judge to contest the citations."

This amended process will result in the immediate imposition of penalties in most cases; reduce the number of court appearances and hearings; avoid the extensive due process requirements in criminal prosecution; and reduce the burden of proof to a preponderance of the evidence.

For more information on Resolution 20-328 or the Honolulu City Council, please go to the following web sites: <http://www.honolulucitycouncil.com> or <http://www.honolulu.gov/council>

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